

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
FEBRUARY 28, 2005

D045697 **In re Gonzalez on Habeas Corpus**
The petition and request are denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
MARCH 1, 2005

D044429 People v. Hopkins, Jr.

The judgment is affirmed. Nares, Acting P.J.; I Concur: O'Rourke, J.; I Concur in the Result: Haller, J.

D043783 Velasquez et al. v. Filmex, Inc.

The order is affirmed. Nares, Acting P.J.; We Concur: O'Rourke, J., Irion, J.

D045300 People v. Thompson

The judgment of conviction is affirmed. The judgment is modified to vacate the sentence. The case is remanded with directions to comply with the terms of the plea agreement or allow Thompson to withdraw his plea. McConnell, P.J.; We Concur: Nares, J., Haller, J.

D044878 People v. White

The judgment is affirmed. Haller, J.; We Concur: Nares, Acting P.J., McIntyre, J.

D045782 In re Marriage of Ewing

Pursuant to California Rules of Court, rule 8, the appeal filed January 18, 2005, is dismissed for appellant's failure to timely designate the record.

D045085 North American Specialty Insurance Company v. Certain Underwriters at Lloyds of London of Policy 618-991635001-047

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed and the remittitur is ordered to issue immediately. Each party to bear own costs on appeal.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
MARCH 2, 2005

D044212 Bouzan et al. v. Diedel et al.

The judgment is affirmed. Haller, Acting P.J.; We Concur: O'Rourke, J., Irion, J.

D044683 People v. Chow

The superior court is directed to issue a new abstract of judgment correcting the clerical error specified in Part III(D) of this opinion. The judgment is affirmed as so modified. Aaron, J.;
I Concur: Huffman, Acting P.J., I Concur in the Result: McDonald, J.

D043337 People v. Haisha

The judgment is affirmed as modified to correctly reflect the true findings on the two enhancements attached to count 5 to be under section 11370.2, subdivision (a). The trial court is directed to prepare an amended abstract of judgment reflecting such corrections and to forward a certified copy of the amended/corrected abstract to the Department of Corrections. Huffman, J.;
We Concur: Benke, Acting P.J., McDonald, J.

D044917 People v. Camacho

The order is affirmed. McDonald, J.; We Concur: Benke, Acting P.J., Huffman, J.

D045316 People v. Banks

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately.

D045705 In re Player on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
MARCH 3, 2005

D045462 In re Angelica W., a Juvenile

The appeal is dismissed. McDonald, J.; We Concur: Haller, Acting P.J., Aaron, J.

D043159 People v. Rucker

It is ordered that the opinion on rehearing, certified for partial publication, filed herein on February 15, 2005, be modified as follows. (See order.) There is no change in judgment. Appellant's petition for rehearing is denied.

D045829 Hilton Hotels Corp. v. Superior Court of San Diego County/Cohen

The petition is denied. The stay issued February 2, 2005 is vacated.

D044268 Schuster v. Gardner et al.

The judgment is affirmed. The defendants are entitled to costs on appeal. CERTIFIED FOR PUBLICATION. McConnell, P.J.; We Concur: Haller, J., O'Rourke, J.

D042461 People v. Palacios

The petition for rehearing is denied.

D043394 People v. Emick

It is ordered that the opinion filed on February 2, 2005, be modified as follows. (See order). There is no change in judgment. The petition for rehearing is denied.

D044192 People v. Morris

Morris's petition for rehearing is denied. The People's petition for rehearing is denied. The opinion filed on February 3, 2005, is modified. No change in judgment.

D045624 Remedy Intelligent Staffing, Inc. v. Superior Court of San Diego County/Welch-Hess et al.

The petition is denied.

D044337 People v. Rosales

The judgment is affirmed except the probation condition "Not affiliate or associate with any identifiable gang members, and stay away from places where such persons congregate" is stricken. McDonald, J.; We Concur: McConnell, P.J., Huffman, J.

D044687 People v. Vallejo

The judgment is affirmed but for probation conditions listed under section 10 of the order granting probation. The conditions listed as gang conditions are stricken. The matter is remanded for determination whether the trial court desires to impose, as general conditions, any of the conditions currently identified as gang conditions. Huffman, J.; We Concur: Benke, Acting P.J., Irion, J.

D045057 People v. Figueroa

The judgment is affirmed. Aaron, J.; We Concur: Benke, Acting P.J., Irion, J.

D045388 In re Abigail H. et al., Juveniles

The appeal is dismissed. Huffman, Acting P.J.; We Concur: O'Rourke, J., Irion, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
MARCH 3, 2005 (Continued)

D043715 **In re Manuel G., a Juvenile**

The judgment is affirmed. Irion, J.; We Concur: Benke, Acting P.J., Nares, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
MARCH 4, 2005

D044324 People v. Alonso

The judgment is affirmed. McConnell, P.J.; We Concur: Huffman, J., Irion, J.

D045706 In re Valdez on Habeas Corpus

The petition is denied.

D043448 Johnson et al. v. City of San Diego et al.

Judgment affirmed in part and reversed in part. Each party to bear its own costs. Haller, J.; We Concur: Nares, Acting P.J., O'Rourke, J.

D043758 People v. Garrido

The appeal is dismissed without prejudice to any rights appellant may have to relief by way of a petition for writ of habeas corpus. CERTIFIED FOR PUBLICATION. Huffman, J.; We Concur: Benke, Acting P.J., Aaron, J.

D045704 In re Graves on Habeas Corpus

The petition is denied.

D045939 People v. Simpson

In that no appealable order or judgment has yet been entered, the notice of appeal is premature. The appeal is dismissed without prejudice to refile a notice of appeal after an order or judgment has been entered.

D045549 Basie & Fritz v. Houston

Pursuant to California Rules of Court, rule 8, the appeal filed December 2, 2004, is dismissed for appellant's failure to properly designate the record (Cal. Rules of Court, rules 4(a) and 5(a)).

D045733 In re Masters on Habeas Corpus

The petition is denied.

D045741 In re Lionel Scott on Habeas Corpus

The petition is denied.

D045550 Western Light Source, Inc. v. Brookwood Kearny Mesa Investors, LLC. et al.

Upon written request filed by appellant, the appeal is DISMISSED as to respondent Brookwood Kearny Mesa Investors, LLC., ONLY and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 20 (c)(2)) as to respondent Brookwood Kearny Mesa Investors, LLC., ONLY.

D045718 In re McNeal on Habeas Corpus

The petition is denied.

D045848 People v. Fuentes

The petition for writ of supersedeas is granted.